IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

–

WRIT PETITION NO : 12058 of 2005

Between:

1. Ranga Book Stall Video Games, D.No.23-261, Chowtra

Centre, Chilakaluripet, S/o. Vinkateswarlu, aged about 42
2. Rajesh Video Games, D.No. 14-69, Peda Nandipadu Road,

Chilakaluripet, S/o. Radha Krishna Murthy, aged 23 yrs
3. Uncle Video Games D/No. 19-83, Bondilipalem,

Chilakaluripet,S/o. Jangam Eswaraiah, aged about 22 yrs,
4. Dwarakamayi Video Games D.No. 14-66, Pedanandipadu Road,
Chilakaluripet, S/o. Gopaiah, aged about 50 yrs.
5. Sai Video Games D.No. 24-142,Gandhipet, Chilakaluripet,
S/o.Venkata Narayana, aged about 27 yrs.
6. Dhanashri Video Games D.No. 24-142,Gandhipet,

Chilakaluripet,S/o.Venkata Narayana, aged about 26 yrs.
7. Thri Koteswara Video Games, Subhani Nagar,

Chilakaluripet, S/o. Narasimha Rao, aged 28 yrs.
8. Chandra Video Games, D.No. 7-4, Chowtra Centre,

Chilakaluripet, aged 20 yrs.
9. Gayathri Video Games, D.No. 21-5, Potti Sri Ramulu

Street, Chilakaluripet, S/o. Narasimha Rao, aged 42 yrs.
10. Rama Video Games, D.No.24-28(2), R. Punna Rao

Complex, G.T. Road, S/o. Sitaramaiah, aged 40 yrs.

.... PETITIONERS

AND

1 The Superintendent of Police, Guntur District, Guntur.
2 The S.H.O. Town P.S. Chilakaluripeta, Guntur District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue any writ order or directions, more particularly a writ of MANDMAUS declaring the action of the respondents in interfering with the petitioners video game shops and for prosecuting for not possessing the licenses under the A.P. Gaming Act, 1974 to run the said video games shops as illegal, arbitrary, unconstitutional

Counsel for the Petitioner:MR.V.PADMANABHA RAO

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following:

ORDER:

This Writ Petition is filed by the petitioners, who are running video games shops in Chilakaluripet Town, Guntur District. They alleged that the respondents are interfering and harassing and requiring them to obtain a licence under the A.P. Gaming Act 1974, which is not required under the said Act as their business is showing and running of electronic computerized children's video games.

2. A similar question came to be considered successively by this Court, and in Judgments in W.P.No.24581 of 2003, 9804 of 2005 and 9650 of 2004, the Writ Petitions were disposed of at the stage of admission declaring that the

petitioners, who run a center for playing video games are not required to take out any licence under the A.P. Gaming Act and that no other provision or any other act had been brought to the notice of this Court which requires the petitioners to obtain a licence for doing the said business. This Court has also declared that the respondents/police have no power to interfere with the running of centers for playing video games on electronic equipment on the ground that the petitioners do not have licence.

3. The Writ Petition is therefore, disposed of and this Court declares that the respondents are entitled to occasionally monitor the petitioners' activity to ensure that they are running their business in accordance with law. Since the petitioners' claim to be running centers for playing video games for children, the respondents shall also in public interest monitor the petitioners' business regularly to ensure that obscenity and other like unwholesome material is not pervaded by the petitioners' to children of tender age. The respondents shall however not interfere or interdict the petitioner's business on the ground that they do not have licences.

4. With the above directions the Writ Petition is disposed of.

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09-06-2005

kvrm

To

1 The Superintendent of Police, Guntur District, Guntur.
2 The S.H.O. Town P.S. Chilakaluripeta, Guntur District.

3. 2 CCs to G.P. for Home, High Court Buildings, Hyderabad

(OUT).

4. 2 CD copies.